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UNCLAS SECTION 01 OF 04 HARARE 000102

SIPDIS
JOHANNESBURG FOR RCO KENT MAY

E.O. 12958: N/A
TAGS: [CMGT](#) [CVIS](#) [CASC](#) [KFRD](#) [ZI](#)
SUBJECT: HARARE ANNUAL CERTIFICATION OF MANAGEMENT CONTROLS

REF: STATE 012136

¶1. Per ref tel, post completed its review of consular operations on February 9, 2010, which was certified by Deputy Chief of Mission Kathy Dhanani, FE-OC. Post is in full compliance with consular management control requirements.

¶2. (a) Inventory and Reconciliation of Accountable Items. The NIV and ACS Unit Chief serves as the ACO and completed a comprehensive physical inventory of all accountable consular supplies with the Consular Section Chief on February 8, 2010. This inventory was without incident, and was documented in writing and electronically through the AI module in IVO, NIV, and ACS. All AI tracked items and non-expendable items such as seals and stamps were included. Post no longer uses manual ledgers or inventory control sheets to track AI.

(b) Guidance. All consular officers are familiar with and have access to all consular references and instructions. Officers rely on 7 and 9 FAM, 7 FAH-1, consular ALDACS, and CAWeb (both the unclassified and classified) for reference. Training materials are not used for reference. All consular officers have access to classified systems. However, the Consular Section Chief does not check classified e-mail daily because the consular section is not rated for classified equipment. Classified email is checked at least weekly.

(c) Consular Shared Tables Management. Only consular section employees have consular roles in NIV, IVO, ACS, and ACRS. RSO ARSOs are assigned CCD roles and the DCM is assigned an NIV review role. Adjudicatory and management roles are limited to American consular officers. All parser roles have been disabled. All active users are at post and authorized system access only at the appropriate level. Users who no longer have any need for access have been verified as disabled. User passwords are periodically reset and individually chosen by the individual IAW SOP82.

(d) Physical Access. Physical access to the Consular Section and all consular workstations is controlled and limited to Consular Section employees. Locally employed staff (LES) are not present outside office hours unless a cleared American consular officer is present.

(e) Access to Personally Identifiable Information (PII). Post protects and restricts access of PII to only those with a legitimate need for such information. Data base systems that contain such information (including PIERS, IVO, NIV and ACS) are

restricted through CST user roles and local controls, and only accessed in connection with official duties. All consular assigned personnel have been briefed on inappropriate use of such systems, the penalties for improper use, and the critical need to safeguard such information. Post is unaware of any breaches or incidents involving loss, theft, unauthorized access or compromise of PII. If such a breach occurs in the future, it will be reported and handled per 7 FAM 1300, Appendix Y

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(f) Control/Reconciliation/Destruction of Controlled Items. Consular Section procedures ensure accountable consular items are controlled, handled, destroyed, and accounted for in accordance with 7 FAH-1 H-600. The Accountable Items (AI) function is being used for daily reconciliation of all accountable consular supplies including passports, passport foils, supplemental pages, CRBAs, NIV foils, and IV foils. Post destroys spoiled, unusable, and obsolete controlled times, and records via a witness their destruction in AI. Per State 112062, all unusable, spoiled, or obsolete passport books, passport cards and border crossing cards are returned to the Department for destruction.

(g) Cash Accountability. The ACO, backup ACO, Consular Cashier, and backup Consular Cashier are all designated in writing per guidance, and all are fully familiar with the instructions in 7

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FAH-1 H-700. The ACO completed FSI on-line course PC 417, Accounting for Consular Fees, in August 2008. The backup ACO completed the course in March 2008. Both the Consular Cashier and backup have completed PC 419, Collection of Consular Fees for Consular Cashiers. Local SOPs are in place that implement 7 FAH and CAWeb Consular Fee Page guidance, ensuring that accounting and reconciliation procedures for consular fees are properly carried out. Daily Accounting Sheets reconciled against ACRS and OF-158 receipts are on file for the last 12 months, with monthly reconciliation signed by both the ACO and FMO. There have been no discrepancies within the past 12 months.

(h) Periodic comparison of MRV fees and NIV applications. Post does not use an off-site collection for MRV fees. All consular service fees, including MRV, are paid to the consular cashier in USD cash at the time of service. Adjudicating officers confirm a valid ACRS (MRV) receipt for each service, and cancel the receipt by initialing it. State Dept copies of MRV receipts are stapled to the application. Daily, weekly, and monthly comparison of MRV fees collected against NIV applications is carried out as prescribed in 7 FAH-1 H-740. However, post finds the guidance for reconciliation of non off-site MRV fees provided on the consular fees page of CAWeb to be lacking. Instead of NIV Report 44, post recommends Report FEE, MRV Fees for Non-Immigrant Visas by Visa Class. An additional option better suited than NIV Report 44 is the Visa Fee Collection Estimate Report from CCD. The ACO uses all three reports to compare the cumulative total of fees collected against the number of MRV applications (excluding no-fee).

(i) Referral System. Post's NIV referral policy is published as Management Policy 56, and reflects 09 State 068314 and 9 FAM Appendix K. Only American officers under COM Authority are permitted to make referrals, all referrals are signed by both the referring officer and agency or section head as appropriate, referral information is captured in the NIV system, all referral forms (A and B referrals, whether issued or refused) are scanned into the NIV system with the application form and all supporting documents, and consular managers periodically review referral reports to identify trends and possible areas of concern. All officers are required to be briefed on the policy and sign a compliance agreement before being entered into NIV as an approved

referrer. All class A and B referrals are adjudicated by the Section Chief or the Acting Section Chief in his absence. Referrals from within the consular section are handled and documented identically to those from outside the section and no unofficial referrals are allowed outside of the formal process.

(j) Training. American and locally employed staff are expertly trained for their responsibilities in accordance with SOP 73, including fraud detection. The ACO and backup ACO have completed PC-417 and the on-line user training for ACRS. Post has instituted weekly training sessions that take advantage of FSI OJT training modules and other material posted on the CA website. All locally employed staff have completed PC102, PC103, and PC104.

(k) Standards of Employee Conduct. The Consular Section has a written zero gift policy, and a policy for all consular officers to recuse themselves from any case in which there may be a real or perceived conflict of interest. All consular employees are familiar with the standards of ethical conduct expected of them. Consular officers have reviewed the Department's Standards of Ethical Conduct for Employees of the Executive Branch, and these standards have been reviewed and discussed. There are no influences being brought to bear on the visa or passport process that would lead to any perception of impropriety. All members of the section know and understand the reporting requirements and options for reporting possible unethical or malfeasant activity.

(l) Namecheck and Clearance Reviews. Namecheck returns are given rigorous review and consistent standards are applied in determining when a hit is close enough to warrant further action. When insufficient information is present to rule out a potential match to a namecheck hit, that hit is treated as if it were a match.

(m) Visa Lookout Accountability (VLA). Post's Visa Lookout Accountability (VLA), Automated Biometric Identification (IDENT),

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Facial Recognition (FR), and Integrated Automated Fingerprint Identification System (IAFIS) procedures are in compliance with Dept guidelines. The Section Chief regularly reviews issuances to verify compliance and reviews VLA responsibilities with arriving officers. All adjudicating officers understand VLA provisions and requirements, as well as the consequences for failing to comply with VLA procedures.

(n) Intake, Interview, and Screening. Intake, interview, and document screening procedures comply with the Department's instructions (including 9 FAM 41.102 and 41.103). Screening of applications by locally employed staff (LES) does not encroach on adjudication. LES only review applications for completeness and do not ask questions or make notes on the application that could be interpreted as influencing adjudication. LES do not turn away NIV or IV applicants who have paid the appropriate fees and have a completed application, even if they believe additional documents are required.

(o) Oversight of processing. Adequate supervision of processing is exercised by American officers. However, the layout of the Consular Section does not allow constant line-of-sight supervision of print stations. Posts DNA policy and collection of samples complies with 09 State 097431 and 9 FAM 42.44. Post exercises proper oversight of panel physicians and possesses recently updated MOUs.

(p) Biometric collection. Fingerprinting for biometric purposes is only performed by consular officers or cleared American EFM's. Post is in compliance with Bio/Visa Enrollment policy and procedures found in 9 FAM Appendix L.

(q) Photo Standards. Per the photo guide on www.travel.state.gov, post is only entering recent photos of the applicant and is rigorously applying the photo guide standards for NIV, IV, and passport photos.

(r) Visa Adjudication Oversight. The Section Chief and DCM regularly review NIV refusals and issuances via the NIV review system in CCD, at a rate well above the minimum. Comments are entered into the system from initial adjudication through CCD review. If upon review, a supervisory consular officer determines that an error in the application of law was made during the initial adjudication, s/he personally re-interviews the applicant and makes an adjudication decision under his/her own login. In such cases, the supervisor marks the case as overcome in the system, explains the legal error in the original officer's adjudication, and the action taken. Supervisory overcomes are extremely rare and are not used in cases of reconsideration in which there was no legal error in the original adjudication. All cases for reconsideration require a new application and fee. All applicants for whom a personal appearance is required are interviewed per 05 State 092176, 08 State 04990, and 9 FAM 41.102. Post regularly (at least monthly) reviews issuance patterns to third country nationals, and knows to report any unexplained trends or anomalies to CA/VO/F/P and CA/FPP/CID. Per 9 FAM 41.121 N2.5, previously refused visa applicants are allowed to reapply any time, using the same procedures as first-time applicants. Posts does not have a written re-application procedure.

(s) Files. Consular files are managed in accordance with the Record Disposition Schedule and visa files are maintained per 9 FAM Appendix F instructions. All consular personnel safeguard visa records in accordance with INA Section 222(f), in order to prevent unauthorized disclosure of any form. NIV records are filed chronologically per instructions in 9 FAM Appendix F, 200.

(t) Passports and CRBAs. Procedures and controls are in place to ensure the accuracy and integrity of U.S. passport, CRBA, and other nationality determinations. Post conducts passport namechecks per 7 FAM 1330 for all passport services, including the addition of visa pages. The ACS Unit chief and Consular Section Chief audit passport cases and procedures to ensure the accuracy of: annotation of citizenship and identity documentation; annotation related to

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name clearances, endorsements and limitations; clarification of illegible entries; correction of inaccuracies; and, fraud detection. Per 09 State 112062 and 7 FAM 1366, all unusable, spoiled, or obsolete passport books, passport cards and border crossing cards are returned to the Department for destruction.

(u) Fraud Prevention Programs. The Section Chief serves as post's Fraud Prevention Manager and post has a written Fraud Prevention SOP that includes criteria for referring cases for investigation. The FPU feature (button) in NIV and IVO are used to refer cases to the FPU and to track FPU case status. Written procedures are in place to safeguard the role of the LES fraud investigator by prohibiting her (or any other LES) from influencing eligibility decisions. Reports on investigations are confined to factual information, not opinion or recommendations for adjudication. All

investigative reports are carefully reviewed by an American officer and are randomly validated. Anti-fraud field trips are undertaken rarely, but often with a consular officer. The Section Chief reviews and approves all fraud investigator vouchers.

(v) Wilberforce Act. Per 09 State 05632, 09 State 05634, and 09 State 067921, post provides the Wilberforce pamphlets to the relevant visa applicants, and confirms that the applicants have received, read, and understood the contents of the pamphlet. Links to the Wilberforce pamphlet and information about worker and student rights are provided on Post's NIV website.

(w) Oversight of Applicant Service Centers (ASCs). N/A.

(x) Consular Agents. N/A.

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